

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

UNITED STATES OF AMERICA : **DOCKET NO. 16-cr-00171**

VS. : **JUDGE MINALDI**

PHILLIP CECIL DYSON : **MAGISTRATE JUDGE KAY**

**REPORT AND RECOMMENDATION ON FELONY
GUILTY PLEA BEFORE UNITED STATES MAGISTRATE JUDGE**

Pursuant to Title 28, United States Code, Section 636(b), and with the written and oral consent of the defendant, this matter has been referred by the District Court for administration of Guilty Plea and Allocution under Rule 11 of the Federal Rules of Criminal Procedure.

This cause came before the undersigned U. S. Magistrate Judge on August 11, 2016 at which time the defendant expressed a desire to waive his right to plead guilty before a District Judge and enter into a plea before the U. S. Magistrate Judge. Defendant indicated on the record his desire to consent to proceed before the undersigned and executed a waiver. Defendant was at all times represented by counsel, Gerald Block.

After said hearing and for reasons orally assigned, it is the finding of the undersigned that the defendant is fully competent, that his plea of guilty is knowing and voluntary, that his guilty plea to Count One and Count Two of the Bill of Information is fully supported by the written factual basis acknowledged by defendant orally in court and by his signature on the written document. This factual basis supports each essential element of the offense to which the defendant pled.

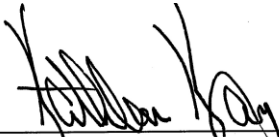
Therefore the undersigned U.S. Magistrate Judge recommends that the District Court **ACCEPT** the guilty plea of the defendant, Phillip Cecil Dyson, and that he be finally adjudged guilty of the offenses charged in Count One and Count Two of the Bill of Information.

Under the provisions of 28 U.S.C. § 636(b)(1)(C) the parties have fourteen (14) days from service of this Report and Recommendation to file specific, written objections with the Clerk of Court. A party may respond to another party's objections within fourteen (14) days after being served with a copy thereof. A courtesy copy of any objection or response or request for extension of time shall be furnished to the District Judge at the time of filing. Timely objections will be considered by the District Judge before he makes a final ruling.

A PARTY'S FAILURE TO FILE WRITTEN OBJECTIONS TO THE PROPOSED FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS CONTAINED IN THIS REPORT WITHIN FOURTEEN (14) DAYS FROM THE DATE OF ITS SERVICE SHALL BAR AN AGGRIEVED PARTY, EXCEPT ON GROUNDS OF PLAIN ERROR, FROM ATTACKING ON APPEAL THE UNOBJECTED-TO PROPOSED FACTUAL FINDINGS AND LEGAL CONCLUSIONS ACCEPTED BY THE DISTRICT JUDGE.

Sentencing is scheduled for November 10, 2016, at 10:15 a.m.

THUS DONE AND SIGNED in Chambers this 11th day of August, 2016.



KATHLEEN KAY
UNITED STATES MAGISTRATE JUDGE